

June 21, 1999

**OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON**

850 Union Bank of California Building  
900 Fourth Avenue  
Seattle, Washington 98164  
Telephone (206) 296-4660  
Facsimile (206) 296-1654

**REPORT AND DECISION ON APPLICATION FOR PRELIMINARY PLAT APPROVAL**

SUBJECT: Department of Development and Environmental Services File No. **L97P0035**

**TROSSACHS DIVISIONS 8 & 9**  
Preliminary Plat Application & SEPA Appeal

Location: Lying adjacent to Trossachs Boulevard, approximately between Southeast 8<sup>th</sup> Place (if constructed) and Southeast 22<sup>nd</sup> Way

Applicant: The Trossachs Group, *represented by* **Joel Haggard**, Attorney At Law  
1200 Fifth Avenue #1200, Seattle, WA 98101  
Facsimile: (206) 623-5263 Telephone: (206) 682-5635

Intervenor: **Robert Seana**  
623 West Snoqualmie River Rd SE  
Carnation, WA 98014  
Telephone: (425) 222-6311

Department: Department of Development and Environmental Services, *represented by*  
Land Use Services Division Land Use Services Division, SEPA  
**Lanny Heno** **Barbara Heavey**  
900 Oakesdale Avenue SW 900 Oakesdale Avenue SW  
Renton, WA 98055 Renton, WA 98055  
Facsimile: (206) 296-7051 Facsimile: (206) 296-7051  
Telephone: (206) 296-7168 Telephone: (206) 296-7222

Department: King County Department of Transportation, Transportation Planning Division  
*represented by* **Dick Etherington**  
821 Second Avenue MS65, Seattle, WA 98104  
Facsimile: (206) 689-4750 Telephone: (206) 689-4709

TOPICS/ISSUES ADDRESSED:

- compatibility of uses
- erosion
- flooding
- open space
- recreation areas
- rivers and streams
- sidewalks
- walkways
- streams
- surface water conveyance
- surface water drainage

SUMMARY OF REPORT AND DECISION:

Preliminary plat approved, located on two separated parcels, containing 362 single family residential lots and a multi-family classified lot for 174 dwelling units in approximately 29 buildings.

SUMMARY OF RECOMMENDATIONS:

Department's Preliminary:	Approve, subject to conditions
Department's Final:	Approve, subject to conditions (modified)
Examiner:	Approve, subject to conditions (modified)

EXAMINER PROCEEDINGS:

Hearing Opened:	June 3, 1999
Hearing Closed:	June 4, 1999

Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the office of the King County Hearing Examiner.

**FINDINGS, CONCLUSIONS & DECISION:** Having reviewed the record in this matter, the Examiner now makes and enters the following:

**FINDINGS:**

**1. General Information.**

Owner/Developer:	The Trossachs Group Attn: Michael Miller 14410 Bel-Red Road, Suite 200 Bellevue, WA 98007 Telephone: (425) 644-2310
------------------	---

Engineer: Hugh G. Goldsmith & Associates, Inc.  
P.O. Box 3565  
Bellevue, WA 98009  
Telephone: (425) 462-1080

STR: 1-24-6

Location: Lying adjacent to Trossachs Boulevard, approximately between Southeast 8<sup>th</sup> Place (if constructed) and Southeast 22<sup>nd</sup> Way

Zoning: Division 8---R-6-P  
Division 9—R-6-P and R-4-P

Acreage: Division 8—107.9 acres  
Division 9—47.1 acres

Number of Lots: Division 8—362 single family lots  
Division 9—12 single-family lots and a future development tract for 174 apartment units in approximately 29 buildings  
Total—374 single-family lots and 192 apartment units

Density: Division 8—approximately 3.4 dwelling units per acre  
Division 9---approximately 4.33 dwelling units per acre

Lot Size: Ranges from approximately 5,000 t 10,000 square feet

Proposed Use: Detached single family residences and apartments

Sewage Disposal: Sammamish Plateau Water & Sewer District

Water Supply: Sammamish Plateau Water & Sewer District

Fire District: No. 27

School District: Issaquah School District No. 411

Complete Application (Vesting) Date: September 4, 1997

2. **Proposal.** This is a proposal to subdivide two non-contiguous parcels, totaling 155 acres, into 374 lots for detached single-family residences and a future development tract for the construction of 174 apartment units in 29 buildings. The proposed lot sizes for the single-family residences range from approximately 5,000 to 10,000square feet.

The northern parcel of the project, identified as Division 8, is roughly 107.9 acres in size. There are 362 lots proposed for detached single-family residences in Division 8. The proposed density for Division 8 is approximately 3.4 dwelling units per acre, according to the King County Code procedures for determining density.

The southern parcel, Division 9, is 47.1 acres in size. There are 12 single-family residences and 174 apartment units proposed in Division 9. The proposed density for the finally approved Division 9 is roughly 3.62 dwelling units per acre, reduced significantly from earlier versions.

3. **State Environmental Policy Act.** An EIS is not required. On March 10, 1999 the Department issued a Mitigated Threshold Determination of Non-Significance for the proposed development. That is, the Department issued its determination, based on its review of relevant environmental documents, that the proposed development would not cause probable significant adverse impacts upon the environment if certain environmental impact mitigating measures were implemented.

The mitigating measures required by the Department addressed impacts related to the Trossachs Boulevard/Duthie Hill road intersection; the Duthie Hill Road/Issaquah Beaver Lake Road intersection; Issaquah Fall City/East Lake Sammamish Parkway intersection; and, several measures regarding water quality and fisheries habitat.

On March 31, 1999, a timely appeal of the SEPA determination was filed with the Department of Development and Environmental Services (DDES) by Mr. Tom Sanderson. A pre-hearing conference was held on April 20, 1999 by the Hearing Examiner. Subsequently, on May 19, 1999, DDES received a letter from Mr. Sanderson, indicating that he has withdrawn his appeal. This Report and Decision contains no further consideration of the Sanderson appeal. Concurrently, the Applicant reduced the number of units in the multi-family portion of proposed Division 9, thereby reducing the number of buildings, in order to assure adequate on site multi-family parking. The complete MDNS language is stated on pages 3 through 5 of the Department's Preliminary Report to the Hearing Examiner dated June 3, 1999 (Exhibit No. 2).

4. The Department recommends granting preliminary approval to the proposed plat of Trossachs, Divisions 8 & 9, subject to the 29 conditions of final plat approval stated on pages 18 through 26 of the Department's Preliminary Report to the Examiner dated June 3, 1999 (Exhibit No. 2), *except* for the following changes:
  - a. **Adequate Recreation Space.** With the Applicant offering to make appropriate provision for access to recreational open space located within the multi-family portion of Division 9, the Department withdraws recommended Condition No. 25 which would have required a fee-in-lieu of recreation space. The revised Departmental language appears as Condition No. 25 on page 17 of this Report and Decision.
  - b. **Appropriate Provision for Walkways, Sidewalks and Safe Walking Conditions.** The hearing record contains considerable discussion regarding the walkway and sidewalk requirements of the County and proposals of the Applicant. The change in Condition 9, offered by the Applicant and accepted by the Department, makes it clear that the contingency of obtaining a right-of-way use permit applies to all of the improvements listed in Condition 9.
  - c. **Surface Water Management Variances.** The proposed plat of Trossachs Divisions 8 & 9 is based upon certain road variances, file numbers L97V0103 and L98V0081. A letter in the hearing record (Exhibit No. 31) jointly signed by Joe Miles, P.E., Supervising Engineer, Engineering Review Section of the Land Use Services Division and by Jeff O'Neill, Site Engineering and Planning Supervisor, Building Services Division, retracts certain surface water management variance conditions. In order to eliminate the conflict between these variances and revisions in the proposed design project plans and more recent variances which supercede these earlier variances.
  - d. **Clarifications.** The Applicant has requested several clarifications to the plat approval conditions recommended by the Department. The Department accepts most of the Applicant's requests, specifically clarification amendments to the following conditions of final plat approval: 4, 8c, 8d, 8f, 9c and 9cii, 14, 16a, 16b, 16c, 16g, 16k, 20, 23, 24c. The originally recommended conditions are stated in the staff report (Exhibit No.2). The revisions/clarifications requested by the Applicant are

contained in Exhibit No. 28. The Examiner's accepted revisions are stated in the identically numbered conditions stated in the decision of this Report and Decision below. The Examiner made minor modifications to the requested clarifications to recommended conditions 8d and 23 with the agreement of the Department and the Applicant.

The Department corrects its staff report at page 10, section I.1 regarding lot pattern and density. The revised paragraph 1 of section I of the Department's Preliminary Report to the Examiner (Exhibit No. 2) deletes the word "appears." Thus, the second sentence of I.1 on page 10 of the Department's Report now reads: *The subject plat meets the base density, minimum density, minimum lot width, and minimum lot area requirements of the R-4 and R-6 zones.*

5. **Applicant's Response.** Applicant Pacific Properties *accepts* the Department's recommendation as described in Finding 4, above *except* for the following:

**Protection from Erosion Hazards.** The Applicant argues that recommended Condition 8i as contained both in the Department's Preliminary Report to the Examiner (Exhibit No. 2) and as revised by the Department (Exhibit No. 32) contains redundant language which could be misunderstood upon later review. The Applicant argues that, essentially, there is no such thing as "harmless" redundancy; that redundancy invariably leads to misunderstanding when the redundancy occurs in legal documents. The language at the crux of this disagreement reads as follows:

No soil disturbance (including individual residential or commercial building pad preparation) shall occur outside the specific time limits unless otherwise approved by King County.

The Applicant seeks to remove this language because it is already covered by the Department's reference to KCC 16.82.150.D stated earlier in both versions of recommended Condition 8i recommended by the Department.

6. **Patterson Creek Drainage.** Intervenor Robert Seana brings forward concern regarding the downstream impacts upon his property and other properties within the Patterson Creek basin. Mr. Seana seeks assurance that no further increase in Patterson Creek flooding will result from the proposed development. The Department responds that the hearing record contains no evidence showing that Trossachs Divisions 8 & 9 will make downstream flooding worse. The Applicant argues that the Intervenor's concerns exceed the scope of the Examiner's plat review; and, that the Intervenor has established neither a trend of increased flooding nor an association between Patterson Creek flooding and upstream land development.

The Seana property is located east and downstream from the subject property. Although the Seana property does not abut Patterson Creek (but rather, Snoqualmie River) it nonetheless receives flood waters from Patterson Creek. Mr. Seana is uncertain as to whether the flooding emanates from the Patterson Creek banks as a *split* in stream course as the stream *approaches* the Snoqualmie valley floor or whether the flood waters overtop the banks as Patterson Creek *crosses* the Snoqualmie valley floor and Snoqualmie River floodplain. This distinction is important because, if this information were contained in the hearing record, it would provide insight as to whether the Patterson Creek flooding occurs due to back flows forced by the Snoqualmie River, or whether the Patterson Creek flooding results independently from

Snoqualmie River behavior. Without this information—and Mr. Seana testifies that he has discussed the matter without conclusion with his neighbors—we are left with the Applicant's contention that the Seana property is located within the FEMA/Corps of Engineers designated Snoqualmie floodplain and therefore, of course, floods.

The evidence offered by the Intervenor at first blush suggests that there is some kind of recent trend, coinciding with upland development, that has increased Patterson Creek peak flows. However, both public and private review engineers testify that a 7-year monitoring period is entirely too short to draw any trend conclusion. King County requires drainage engineers to use a 30-year record. In addition, the adopted 30-year record used by King County includes an added synthetic 100-year flood because no such flood was contained in the 30-years selected.

Although the Trossachs Preliminary Plat is vested to the 1990 Surface Water Design Manual, the Applicant has volunteered to design drainage facilities in accordance with standards from the 1998 drainage manual for most of the plat, including those portions draining to the Patterson Creek basin. These standards include the County's most rigorous KCRTS Level III Detention Standard, which controls storm events up through the 100-year storm. These standards increase immensely the storm water retention/detention storage volume in order to assure minimal peak flows (at rates significantly below peak discharge rates existing prior to development). In addition to these drainage discharge controls, infiltration of rooftop drainage will be required wherever feasible.

7. **Open Space Buffer Tract.** The hearing record contains considerable discussion regarding the 50-foot wide open space buffer located along the east boundary of Trossachs Division 8. That buffer is generally located between the easternmost lots of Division 8 and the Crittenden property, an active farm abutting the east boundary of the Division 8 Trossachs property. The buffer was provided to separate urban development from the Crittenden cattle. Although Trossachs is located within the Urban area of King County, the Crittenden property is designated Rural. Both sides (east and west) of the 50-foot wide open space will be fenced. The abutting new home sites will all have a 6-foot board fence separating them from the open space. Crittenden will retain a barbed wire fence. The Applicant and the Department are both satisfied with the narrow, "dead end" and inaccessible buffer area. No party testified in opposition. Due to questions raised by the Examiner, however, the hearing record contains some discussion regarding the appropriateness of this narrow, generally inaccessible buffer, which appears to be a potential dumping area for yard waste and possibly garbage. No party has opposed this tract.
8. **Departmental Report Adopted.** Except as otherwise indicated above, the Department of Development and Environmental Services Preliminary Report to the Hearing Examiner dated June 3, 1999 is accurate and adopted here by this reference. A copy of the Department's Report will be attached to those copies of this Report and Decision which are forwarded to the Metropolitan King County Council.
9. **Conclusions Adopted as Appropriate.** Any portion of the conclusions below that may be construed as a finding is hereby adopted as such.

## CONCLUSIONS:

1. Regarding the Applicant's opposition to the hazard area seasonal clearing limit language contained in Condition 8i, the Examiner concludes that the Department has sound reason to cite the applicability of clearing limit regulations to residential or commercial building pad preparation. However, the language preferred by the Department that states "unless otherwise approved by King County" is dangerously imprecise. Condition 8i as stated in the decision which follows below seeks to recognize the Applicant's concern about assuring clarity to future reviewers while at the same time retaining reference to individual, residential or commercial building pads as sought by the Department. In addition, Condition 8i as stated below attempts to be more precise than to say "unless otherwise approved."
2. Regarding Patterson Creek flooding, it must be concluded that the hearing record lacks a clearly proven, demonstrated or shown nexus between the proposed Trossachs Divisions 8 & 9 and increased peak flood flows downstream and any alleged downstream Patterson Creek flooding. Rather, the hearing record shows remarkable measures to be both required and voluntarily provided that are intended to *reduce peak storm flows* during and immediately following peak storm events. Certainly, the reduced flow levels will continue after peak storm events have ended for a longer period than would have occurred under natural conditions. However, the hearing record contains no evidence that the extended duration will exacerbate either erosion (and sedimentation) or flooding. Thus, there are no extraordinary conditions beyond those already provided that are warranted by comprehensive plan, drainage manual, RCW 58.17.110 or—for that matter—State Environmental policy.

Because RCW 58.17.110 requires a finding that the proposed development will make "appropriate provision for drainage ways," I disagree with the Applicant's argument that the Seana intervention exceeds the scope of plat review. However, this disagreement does not affect the decision below.

3. The Examiner's concern that the proposed east boundary buffer may develop into a yard waste infested public nuisance need not govern the decision below. The area will be owned and maintained by the homeowner's association. If a policing problem develops it will have developed by virtue of the actions of the homeowner's association members themselves. On the east side of that same open space buffer, the cows are sure not to complain.
4. If approved subject to the conditions recommended below, the proposed subdivision will comply with the goals and objectives of the King County Comprehensive Plan, Subdivision and Zoning Codes, and other official land use controls and policies of King County.
5. If approved subject to the conditions recommended below, this proposed subdivision will make appropriate provision for the public health, safety and general welfare and for open spaces, for drainage ways, streets, other public ways, transit stops, potable water supply, sanitary wastes, parks and recreations, playgrounds, schools and school grounds, and safe walking conditions for students who only walk to school; and it will serve the public use and interest.
6. The conditions for final plat approval recommended below are in the public interest and are reasonable requirements to mitigate the impacts of this development upon the environment.

7. The dedications of land or easements within and adjacent to the proposed plat, as recommended by the conditions for final plat approval or as shown on the proposed preliminary plat submitted by the
8. Any portion of Findings 1 through 8 that may be construed as a conclusion is hereby adopted as such.

DECISION:

The proposed plat of Trossachs Divisions 8 & 9, DDES File No. L97P0035, as represented by Exhibit Nos. 9 and 22 is GRANTED PRELIMINARY APPROVAL, *subject* to the following conditions of final plat approval.

1. Compliance with all platting provisions of Title 19 of the King County Code.
2. All persons having an ownership interest in the subject property shall sign on the face of the final plat a dedication which includes the language set forth in King County Council Motion No. 5952.
3. Division 8 of the subject plat shall comply with the base density and minimum density requirements of the R-6 zone classification. Division 9 of the subject plat shall comply with the base density and minimum density requirements of the R-4 and R-6 zone classifications. All lots shall meet the minimum dimensional requirements of these zones and shall be generally as shown on the face of the approved preliminary plat, except that minor revisions to the plat which do not result in substantial changes may be approved at the discretion of the Department of Development and Environmental Services.
4. The final plat shall include, the total amount of acreage shown on the preliminary plat map in recreation tracts, open space tracts, and open space sensitive area tracts.
5. The applicant must obtain final approval from the King County Health Department.
6. All construction and upgrading of public and private roads shall be done in accordance with the King County Road Standards, established and adopted by Ordinance No. 11187.
7. The applicant must obtain the approval of the King County Fire Protection Engineer, regarding compliance with the fire hydrant, water main, and fire flow standards of Chapter 17.08 of the King County Code.
8. Final plat approval shall require full compliance with the drainage provisions set forth in King County Code 9.04. Compliance may result in reducing the number and/or location



of lots as shown on the preliminary approved plat. Preliminary review has identified the following conditions of approval, which represent portions of the drainage requirements. All other applicable requirements in KCC 9.04 and the Surface Water Design Manual (SWDM) must also be satisfied during engineering and final review.

- a. Drainage plans and analysis shall comply with the 1990 King County Surface Water Design Manual and applicable updates adopted by King County. DDES approval of the drainage and roadway plans is required prior to any construction.
- b. Current standard plan notes and ESC notes, as established by DDES Engineering Review shall be shown on the engineering plans.
- c. The following note shall be shown on the final recorded plat:

"All building downspouts, except as may be modified by the requirements of Condition 29.a.ii, footing drains, and drains from all impervious surfaces such as patios and driveways shall be connected to the permanent storm drain outlet as shown on the approved construction drawings #\_\_\_\_\_ on file with DDES and/or the Department of Transportation. This plan shall be submitted with the application of any building permit. All connections of the drains must be constructed and approved prior to the final building inspection approval. For those lots that are designated for individual lot infiltration systems, the systems shall be constructed at the time of the building permit and shall comply with the plans on file."
- d. Four drainage variances (L97V0103, L98V0081, L99V0008 and L99V0016) as/or may be amended by DDES are approved for this project. All conditions of approval for the variances shall be met, and reflected in the engineering plan submittals. See also Finding 4.c on page 4 of this Report and Decision and Exhibit No. 31.
- e. The preliminary plat is vested under the 1990 Drainage Manual. However, to mitigate downstream impacts, the applicant has volunteered to design storm water detention and water quality facilities consistent with the 1998 King County Surface Water Design Manual for all of the subject plat, with the exception of a small portion of Division 9. The final drainage plans for the subject proposal shall include facilities designed in accordance with the standards summarized in Attachment No. 13 to the DDES staff report. DDES may approve minor modifications to the water quality designs if found to provide an equivalent level of water quality protection. A note implementing this condition shall appear on the final plat.
- f. To prevent significant downstream discharge to the ravine north of Tract AE,

a high flow bypass pipe shall be constructed to convey flows southerly into the proposed detention pond located south of Trossachs Division 8. The detention pond outlet within Tract AE shall be designed to convey potential 100-year overflow into the bypass line. However, the pond emergency spillway shall be permitted to discharge north into Stream 0376.

- g. Drainage control for Lots 372, 373 and 374 (Trossachs Division 9) is proposed within the multi-family detention facilities in Tracts B and E. Prior to recording these lots, the applicant shall demonstrate to the satisfaction of DDES that the multi-family drainage facilities are operational, or that an alternative drainage control system has been provided.
  - h. A geotechnical report shall be provided to address construction of detention ponds on slopes steeper than 15 percent. The final erosion control and drainage plans shall demonstrate compliance with the requirements of Special Requirement No. 11 in the 1990 Drainage Manual.
  - i. KCC 16.18.150.D applies to the subject property. Therefore, construction work involving soil disturbance, grading, and filling of the site, including individual residential or commercial building pad preparation, shall be limited to October 1 through March 31 unless King County DDES specifically approves an extension consistent with the provisions of KCC 16.82.150.D. DDES authority to allow development activity beyond these dates, shall not apply to “erosion hazard areas” as defined by KCC 21A.06.415. See also Condition 16k below. A note stating these requirements shall be clearly shown on the final plat and on the engineering plans.
  - j. A temporary erosion sedimentation control (TESC) supervisor shall be designated by the applicant, per Section 5.4.10 of the 1990 KCSWDM for highly sensitive sites. The supervisor shall have demonstrated expertise in erosion control per the above section. The site shall be reviewed as if construction is occurring in the wet season, at least weekly, and within 24 hours of significant storms. A written record of these reviews shall be kept on-site with copies submitted to DDES within 48 hours. A sign shall be posted at all primary entrances to the site, which clearly identifies the TESC supervisor and their phone number.
9. The proposed subdivision shall comply with the 1993 King County Road Standards(KCRS) including the following requirements: .
- a. The proposed roads, access tracts, and joint use driveways shall be improved in accordance with the classifications shown on the preliminary plat, with the following exceptions. SE 8<sup>th</sup> Pl. between 270<sup>th</sup> Ave. SE and SE 10<sup>th</sup> St., and

SE 10<sup>th</sup> St. between 271<sup>st</sup> Ave. SE and 272<sup>nd</sup> Pl. SE shall be improved as subcollector roads.

- b. The final plat shall contain notes to restrict lot access onto Trossachs Blvd. and SE 11<sup>th</sup> St.
  - c. Trossachs Boulevard shall be built to an urban minor arterial road classification standard (full width with sidewalks) from Duthie Hill Road to the north property line. However, compliance with this condition is contingent upon the reviewing agency granting a right-of-way use permit, if necessary, to permit the required work in the existing public right-of-way.
    - i. No improvements are required on the east side of the roadway, adjacent to the parcel owned by the Issaquah School District.
    - ii. On the east side of the roadway between the School District parcel Division 8, a separated walkway, or an eleven-foot-wide paved shoulder and a concrete extruded curb may be constructed in lieu of curb, gutter and sidewalk. The width of the shoulder may be reduced, if determined appropriate by KCDOT.
  - d. Five-foot-wide paved walkways shall be provided extending from the terminus of cul-de-sacs 268<sup>th</sup> Pl. SE and 269<sup>th</sup> Lane SE to Trossachs Blvd., and from the terminus of cul-de-sacs 270<sup>th</sup> Ave. SE and 271<sup>st</sup> Ave. SE to Tract AN. These walkways shall be located within tracts that are a minimum of 10 feet in width, and the tracts shall be owned and maintained by the homeowners association. A five-foot-wide paved walkway shall also be provided across Recreation Tract AN and Landscape Tract AL to SE 11<sup>th</sup> St., which is owned and maintained by the homeowners association.
  - e. Street trees shall be provided on roads within and adjacent to the subject plat, per Section 5.03 of the King County Road Standards and KCC 21A.16.050.
  - f. Modifications to the above road conditions may be considered by King pursuant to the variance procedures in KCRS 1.08.
10. All utilities within proposed rights-of-way must be included within a franchise approved by the King County Council, prior to final plat recording.
11. The applicant or subsequent owner shall comply with King County Code 14.75,

Mitigation Payment System (MPS), by paying the required MPS fee and administration fee as determined by the applicable fee ordinance. The applicant has the option to either: (1) pay the MPS fee at final plat recording, or (2) pay the MPS fee at the time of building permit issuance. If the first option is chosen, the fee paid shall be the fee in effect at the time of plat application and a note shall be placed on the face of the plat that reads, "All fees required by King County Code 14.75, Mitigation Payment System (MPS), have been paid." If the second option is chosen, the fee paid shall be the amount in effect as of the date of building permit application.

12. Lots within this subdivision are subject to KCC 21A.43 and Ordinance 13338 which imposed impact fees to fund school system improvements needed to serve new development. As a condition of final approval, fifty percent (50%) of the impact fees due for the plat shall be assessed and collected immediately prior to recording, using the fee schedules in effect when the plat receives final approval. The balance of the assessed fee shall be allocated evenly to the dwelling units in the plat and shall be collected prior to building permit issuance.
13. The planter islands (if any) within the turnaround bulbs shall be maintained by the abutting lot owners or the homeowners association. This shall be stated on the face of the final plat.
14. The following note shall be shown on the final engineering plan and recorded plat:

**RESTRICTIONS FOR SENSITIVE AREA TRACTS AND SENSITIVE  
AREAS AND BUFFERS**

Dedication of a sensitive area tract/sensitive area and buffer conveys to the public a beneficial interest in the land within the tract/sensitive area and buffer. This interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, and protection of plant and animal habitat. The sensitive area tract/sensitive area and buffer imposes upon all present and future owners and occupiers of the land subject to the tract/sensitive area and buffer the obligation, enforceable on behalf of the public by King County, to leave undisturbed all trees and other vegetation within the tract/sensitive area and buffer. The vegetation within the tract/sensitive area and buffer may not be cut, pruned, covered by fill, removed or damaged without approval in writing from the King County Department of Development and Environmental Services or its successor agency, unless otherwise provided by law.

The common boundary between the tract/sensitive area and buffer and the area of development activity must be marked or otherwise flagged to the satisfaction of King County prior to any clearing, grading, building construction or other development

activity on a lot subject to the sensitive area tract/sensitive area and buffer. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the sensitive area are completed.

No building foundations are allowed beyond the required 15-foot building setback line associated with the sensitive area tracts unless otherwise provided by law.

15. The proposed subdivision shall comply with the sensitive areas requirements as outlined in KCC 21A.24. Permanent survey marking, and signs as specified in KCC 21A.24.160 shall also be addressed prior to final plat approval. Temporary marking of sensitive areas and their buffers (e.g., with bright orange construction fencing) shall be placed on the site and shall remain in place until all construction activities are completed.
16. Preliminary plat review has identified the following issues which apply to this project. All other applicable requirements for sensitive areas shall also be addressed by the applicant.
  - a. Determine the top, toe, and sides of 40% slopes by field survey for such slopes which lie within the subject property, or within 65 feet of the subject property. A field survey is not required if permission to enter upon adjacent properties cannot reasonably be obtained. Provide a sensitive area buffer from these slopes, consistent with KCC 21A.24.310A and F, to the extent the buffer falls within the subject plat.
  - b. Regarding Division 8, provide a 50 foot buffer from the wetlands in Tracts P and AF, from Wetland Y in Tract N, and from Wetlands S/SA east of Tract P. Provide a 25 foot buffer from the wetlands in Tract AO, and Wetland AA in Tract N.
  - c. Wetland buffer averaging as depicted on Exhibit No. 9 may be used, subject to compliance with KCC 21A.24.320.B and the approval of the Land Use Services Division.
  - d. The proposed filling of Wetlands U and DD is permitted, subject to compliance with KCC 21A.24.330K, the submittal of a wetland mitigation plan, and the approval of LUSD. LUSD may require the submittal of a bond to assure the installation of required wetland improvements and the survival of required plantings for a five year period.
  - e. The storm water collection system for the subject plat shall be designed to maintain the hydrology of existing wetlands to the extent feasible, as determined by LUSD.

- f. A 25 foot buffer shall be provided from the Class 3 stream adjoining the southeast boundary of Division 8, to the extent the buffer falls within the subject plat.
  - g. The proposed crossing of the above-noted stream with a storm water tight line and sanitary sewer line is permitted, subject to compliance with KCC 21A.24.370.
  - h. Tract A, Division 9 shall be designated as a sensitive area tract.
  - i. The above-noted required wetland buffers and their associated wetlands and streams shall be placed in sensitive area tracts, to the extent such buffers, wetlands or streams fall within the subject property.
  - j. Provide a 15 foot building setback from all sensitive area tracts and sensitive area buffers.
  - k. The applicant shall delineate all erosion hazard areas on the site on the final engineering plans. Erosion hazard areas are defined in KCC 21A.06.415. The delineation of such areas shall be approved by an LUSD senior geologist. The requirements found in KCC 21A.24.220 concerning erosion hazard areas shall be met for these delineated areas, including seasonal restrictions on clearing and grading activities. The seasonal restrictions shall be clearly shown on the engineering plans. (Also see Condition 8i above.)
17. A homeowners' association shall be established which provides for the ownership and continued maintenance of the recreation and open space areas, and the pedestrian tracts.
18. Street trees shall be provided as follows:
- a. Trees shall be planted at a rate of one tree for every 40 feet of street frontage. Spacing may be modified to accommodate sight distance requirements for driveways and intersections.
  - b. Trees shall be located within the street right-of-way and planted in accordance with Drawing No. 5-009 of the 1993 King County Road Standards, unless King County Department of Transportation (KCDOT) determines that trees should not be located in the street right-of-way.
  - c. If KCDOT determines that the required street trees should not be located within the right-of-way, they shall be located no more than 20 feet from the street right-of-way line.

- d. The trees shall be owned and maintained by the abutting lot owners or the homeowners' association or other workable organization, unless the County has adopted a maintenance program. This shall be noted on the face of the final recorded plat.
- e. The species of trees shall be approved by DDES and KCDOT if located within the right-of-way, and shall not include poplar, cottonwood, soft maples, gum, any fruit-bearing trees, or any other tree or shrub whose roots are likely to obstruct sanitary or storm sewers, or that is not compatible with overhead utility lines.
- f. The applicant shall submit a street tree plan and bond quantity sheet for review and approval by DDES prior to engineering plan approval. KCDOT shall also review the street tree plan if the street trees will be located within the right-of-way.
- g. The street trees must be installed and inspected, or a performance bond posted prior to recording of the plat. If a performance bond is posted, the street trees must be installed and inspected within one year of recording of the plat. At the time of inspection, if the trees are found to be installed per the approved plan, a maintenance bond must be submitted or the performance bond replaced with a maintenance bond, and held for one year. After one year, the maintenance bond may be released after DDES has completed a second inspection and determined that the trees have been kept healthy and thriving.

A \$538 landscape inspection fee shall also be submitted prior to plat recording. The inspection fee is subject to change based on the current County fees.

- 19. The applicant shall make pro-rata share payments to the Washington State Department of Transportation to mitigate traffic impacts of the subject proposal. These payments shall be made, consistent with the "Voluntary Settlement Agreement To Mitigate Impacts To State Facilities," which is signed by the applicant on October 29, 1998 and concerns improvements to SR 202, and consistent with the "Supplemental Voluntary Settlement Agreement To Mitigate Impacts to State Facilities..." which is signed by the applicant on February 22, 1999 and concerns the SR-90/Sunset Way Interchange. These payments shall be made prior to the recording of the subject plat.
- 20. A minimum, 50-foot-wide native growth open space tract shall be provided along the east boundary of Division 8, to buffer Division 8 from the "rural" designated area. The clearing of vegetation from the open space tract shall be prohibited, except in the case of a danger to life or property. A note implementing this condition shall appear on the final plat.

In addition to the above requirement, a six-foot-high, solid wood fence shall be constructed on the rear of the lots adjoining the east boundary of Division 8 (Lots 116 – 145), or a performance bond posted prior to final plat recording. The fence shall be shown on the final engineering plans. If a performance bond is posted, the fence must be installed within one year of recording the plat.

21. Proposed Sight Distance Tract AA shall be dedicated to King County as part of the right-of-way for SE 11<sup>th</sup> St. Street trees and other landscaping planted in this area shall not obscure required sight distance. The applicant may be required to submit documentation through the engineering review process to demonstrate this condition will be met.
22. Tract AH, serving Tract AE, a storm water tract, shall be dedicated to King County and shall include an access/utility easement for Lot 245. Any paved road improvements constructed in Tract AH shall be maintained by the owner of Lot 245.
23. In addition to the wetland/sensitive area and recreation designations, Tracts A and C, Division 9 shall be labeled as a wildlife corridor. A management plan shall be prepared for the corridor, consistent with KCC 21A.14.270.D-G, which includes corridor enhancements such as additional plantings and bird nest boxes. The plan shall be reviewed and approved by the King County Department of Natural Resources. The existing recreation uses in Tract C, developed as part of phase 1 of Trossachs, may remain within the Tract. The management plan shall be approved prior to engineering plan approval.
24. For Division 8, suitable on-site recreation space shall be provided consistent with the requirements of KCC 21A.14.180 and KCC 21A.14.190 (i.e., sport court(s), children's play equipment, picnic table(s), benches, etc.). The plan shall provide for the improvement of Tracts AC, AG, AP, AN, M and U with recreation facilities and landscaping. The following requirements shall also be met:
  - a. An overall conceptual recreation space plan shall be submitted for review and approval by LUSD, with the submittal of the engineering plans. The conceptual recreation plan shall include location, area calculations, dimensions, and general improvements. The approved engineering plans shall be consistent with the conceptual plan.
  - b. A detailed recreation space plan (i.e., landscape specifications, equipment specifications, etc.) consistent with the overall conceptual plan noted in Item "a" above, shall be submitted for review and approval by LUSD and King County Parks, prior to or concurrently with the submittal of the final plat documents.



- c. Fencing of recreation tracts AP, AN, M and U shall be provided along SE 11<sup>th</sup> St. to prevent balls used in play by children from readily entering this street. The fencing may be cyclone fencing or wood split rail, however if a split rail fence is used, shrubbery vegetation shall be provided adjacent to the fencing to provide an adequate barrier. Fencing adjacent to SE 11<sup>th</sup> Street shall provide for pedestrian access to the recreation tracts from SE 11<sup>th</sup> Street.
  - d. A performance bond for recreation space improvements to assure their installation, and the survival of required plantings for a three year period, shall be posted prior to recording of the plat.
25. Adequate recreation space for the 12 single family lots in Division 9 shall be provided within Division 9, pursuant to the provisions of KCC 21A.14.180. This recreation space may be located within the multi-family portion of Division 9. A note to this effect shall appear on the final plat.

The CCR's for Trossachs Divisions 1 through 9 shall provide for cross easements for the purpose of allowing the owners of single family lots in Divisions 1-9 access to the recreation space provided pursuant to KCC 21A.14.180 within the multi-family portion of Division 9, and allow the residents of the multi-family portion of Division 9 access to the recreation facilities in Divisions 1 through 8.

The following conditions have been established under SEPA authority as necessary to mitigate the adverse environmental impacts of this development. The applicant shall demonstrate compliance with these items prior to final approval.

26. **Trossachs Blvd./Duthie Hill Road** The intersection of Trossachs Blvd./Duthie Hill Road will function at LOS F in the PM peak hour for the northbound and southbound left turn movements. The Aldarra Farm subdivision will add a south leg to the existing "T" intersection. This intersection meets signal warrants with pipeline growth and full project build out of Trossachs 8 and 9 and Aldarra. The applicant shall individually or proportionally share with the plat of Aldarra the full cost of construction of a traffic signal at the intersection of Duthie Hill Road/Trossachs Blvd. The signal shall be designed and approved by King County Traffic Engineering prior to engineering plan approval. The Duthie Hill Road/Trossachs Boulevard intersection improvements shall include signal pole pedestals, all necessary underground conduits, and all related appurtenances, including in-street vehicle detection systems, to the requirements of King County Traffic Engineering. The balance of the signal installation shall not occur until traffic volumes at the intersection meet signal warrants. Prior to recording Trossachs Divisions 8 and 9 the applicant must provide traffic counts and signal warrant analysis to King County Traffic Engineering to determine the timing of signal installation. The applicant can either: install the traffic signal if warranted (funding assurances must be made prior to final plat recording), or pay a proportionate share with the plat of Aldarra to provide full funding to King County for a CIP project to install the traffic signal when warranted.
27. **Duthie Hill Road/Issaquah Beaver Lake Road** The intersection of Duthie Hill Road/

Issaquah Beaver Lake Road will function at LOS F in the PM Peak hour at the south approach. To mitigate the project's impacts at this intersection, the applicant shall, individually or proportionally, share with the plat of Aldarra the full cost of design and construction of an eastbound left turn lane and eastbound left turn merge lane on Duthie Hill Road for left turns into and out of Issaquah Beaver Lake Road. Engineering plans for this improvement must be reviewed and approved by Traffic Engineering Section and DDES prior to engineering plan approval of Division 8 or commercial building permit issuance for the Division 9 multifamily.

28. **Issaquah Fall City/East Lake Sammamish Parkway** To mitigate the project's impacts at this intersection, this project shall pay a pro-rata share towards the North and South SPAR Road projects consistent with the developer's portion of CIP Projects 101289 and 200496. The developer's portion has been calculated at:

CIP 101289: Spar North - \$263 per single family residential unit.  
CIP 200496: Spar South - \$362 per single family residential unit.

If at the time of final plat recording, an updated MPS fee schedule, which includes the North and South Spar Road CIP projects is adopted, and if the developer chooses to pay MPS fees at the time of building permit approval, a pro-rata share payment, as noted above, will no longer be required at the time of final plat approval.

For the multifamily portion of Trossachs Division 9, the applicant shall pay the pro-rata fee based on multifamily development requirements, which calculates the fee at 60% of single family rates. This pro-rata payment shall be paid to King County Department of Transportation prior to commercial building permit issuance or final plat approval.

29. **Water Quality/Fish Habitat** The following mitigating measures shall be applied to the proposal to reduce the likelihood of significant adverse environmental impacts to Patterson Creek fishery resources:

a. To reduce the "effective" impervious surface created by the proposal:

- i. All lawn areas and pervious areas in the Patterson basin in Divisions 8 & 9 (exclusive of areas of native vegetation protected by covenant or tract dedicated to the County) shall be amended with 4 inches of well-rotted compost. The compost shall be tilled into the native soil to a depth of 6 to 8 inches. Compost shall either comply with guidelines for compost quality on page 6-44 of the King County Surface Water Design Manual, September 1998 draft, or Ecology guidelines for Grade A compost quality (publication 94-38).

In areas where tilling is not feasible, a 6-inch layer of hog fuel or shredded wood (not to be confused with beauty bark) shall be applied on top of the ground surface. Slopes with a slope of 2:1 or greater must use biodegradable erosion control blankets (usually made from coconut fiber, wheat straw, jute, etc.) with no more than

10% open surface to secure the mulch layer. Where slopes are less than 2:1, and erosion control concerns are minimal (e.g. ditches that do not receive flashy, seasonal, and/or intermittent high volume flows), the mulch layer, at a minimum, must be secured with jute matting with 1/4 inch mesh. However, erosion control blankets are preferred.

Special construction inspection shall be required prior to installation of final landscaping on any lot. A performance bond shall be posted prior to issuance of a building permit to insure compliance with this condition. A note to this effect shall be placed on the final plat.

- ii. Rain gardens shall be used to the extent feasible to infiltrate roof runoff in Division 8 and 9. Rain gardens are basins or depressions planted with trees or shrubs that tolerate very wet conditions, such as willow, spirea, etc., and to which runoff water is directed before it is collected in the regular engineered drainage system.
  - iii. Porous pavement or other permeable surface materials shall be used for all patios, walkways and paved surfaces not intended for vehicular traffic within individual residential lots and the multifamily areas of Divisions 8 & 9. During review of engineering plans, the applicant and King County shall determine the feasibility of using porous pavement alternatives to traditional concrete for roads, driveways and sidewalks in the Patterson basin in Divisions 8 & 9. If determined appropriate by the County, porous pavement shall be utilized. In addition, minimum road widths allowable per King County Road Standards shall be used to reduce the amount of impervious surface in the basin.
- b. To reduce the concentration of metals entering Patterson Creek drainages:
- i. A pamphlet for home owners shall be prepared and distributed to home purchasers in the Patterson Creek basin in Divisions 8 & 9. The pamphlet shall cover the following:
    - The fishery value of Patterson Creek
    - The endangered status of Puget Sound salmon
    - Alternatives to roof maintenance with toxic chemicals and yard maintenance with pesticides
    - Environmentally friendly lawn care practices
    - Placement of mulching materials to increase permeability
    - Explanation of rain gardens and maintenance procedures if located on single family lots
    - Telephone numbers, internet sources of additional information

The County shall review and comment on the draft pamphlet before it is finalized.

- ii. No external copper ornamentation shall be used as design features for homes in Division 8. A note to this effect shall appear on the final plat.
  - iii. Use of unsealed copper or galvanized flashing, rain gutters, and downspouts shall not be allowed for home construction in either Divisions 8 or 9. A note to this effect shall appear on the final plat.
  - iv. Galvanized pipes or materials shall not be used in any drainage system in Divisions 8 & 9 when substitutes are available, unless such materials are required by County codes. Where County codes require use of galvanized materials, alternatives will be sought where feasible and agreed to by the County.
  - v. The water quality facilities in Division 8 shall be designed to comply with Section 6.1.3 of the 1998 King County SWM Manual (Resource Stream Protection Menu). The Resource Stream Protection Menu is designed to achieve 50% zinc removal for flows up to and including the WQ design flow.
- c. To minimize water temperature increases from the site in summer and decreases in winter, shading shall be provided for stormwater ponds (both wet ponds and detention ponds) in Divisions 8 & 9. The banks of the ponds shall be shaded with tall evergreen or columnar deciduous trees to the maximum extent feasible. Determining the size for the planting areas will be based on site conditions. Plantings shall be indicated on the plans with a notation indicating that the plants are necessary for shading.
- d. To increase dissolved oxygen levels in the discharge, the outlet of stormwater facility PC-2 in Division 8 shall be designed to maximize aeration of the discharged water. Opportunities to provide aeration in the PC-1 discharge shall be pursued and developed if feasible.

ORDERED this 21st day of June, 1999.

---

R. S. Titus, Deputy  
King County Hearing Examiner

TRANSMITTED this 21st day of June, 1999, to the parties and interested persons shown on the attached list.

**NOTICE OF RIGHT TO APPEAL**

In order to appeal the decision of the Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$125.00 (check payable to King County Office of Finance) ***no later than Monday, July 5, 1999***. If a notice of appeal is filed, the original and six (6) copies of a written appeal statement specifying the basis for the appeal and argument in support of the appeal must be filed with the Clerk of the King County Council ***no later than Monday, July 12, 1999***. Appeal statements may refer only to facts contained in the hearing record; new facts may not be presented on appeal.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 403, King County Courthouse, prior to the close of business (4:30 p.m.) on the date due. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. The Examiner does not have authority to extend the time period unless the Office of the Clerk is not open on the specified closing date, in which event delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

If a written notice of appeal and filing fee are not filed within fourteen (14) calendar days of the date of this report, or if a written appeal statement and argument are not filed within twenty-one (21) calendar days of the date of this report, the decision of the hearing examiner contained herein shall be the final decision of King County without the need for further action by the Council.

MINUTES OF THE JUNE 3, 1999 AND JUNE 4, 1999 PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO. L97P0035 – TROSSACHS, DIVISIONS 8 & 9:

R. S. Titus was the Hearing Examiner in this matter. Participating in the hearing and representing DDES were Lanny Henoch and Craig Comfort. Participating in the hearing and representing the Applicant were Joel Haggard and Mike Miller. Also participating in the hearing were Tom Uren and Robert Seana.

The following exhibits were offered and entered into the record:

**Exhibits entered on June 3, 1999:**

- |                 |   |
|-----------------|---|
| Exhibit No. 1   | LUSD File No. L97P0035  |
| Exhibit No. 2   | LUSD Staff Report, prepared for the June 3, 1999 public hearing   |
| Exhibit No. 3   | Environmental Checklist, received September 4, 1997   |
| Exhibit No. 4   | SEPA Mitigated Determination of Non-Significance, issued March 10, 1999.  |
| Exhibit No. 5   | March 31, 1999 letter from Tom Sanderson, appealing the SEPA determination issued March 10, 1999.   |
| Exhibit No. 6   | Faxed copy of a May 19, 1999 letter from Tom Sanderson, withdrawing his SEPA appeal.  |
| Exhibit No. 7   | Affidavit of Posting, received May 11, 1999, concerning the posting of signs on the property giving notice of the June 3, 1999 public hearing.  |
| Exhibit No. 8   | Applicant's application, received September 4, 1997   |
| Exhibit No. 9   | Revised plat map, received May 17, 1999   |
| Exhibit No. 10  | Revised Traffic Impact Analysis, prepared by Transportation Planning & Engineering, Inc. (TP & E), dated January 28, 1998 and received June 15, 1998.   |
| Exhibit No. 11  | January 6, 1999 letter from Victor H. Bishop, President, TP & E containing a traffic impact analysis addendum concerning impacts to intersections with the City of Issaquah.  |
| Exhibit No. 12  | Voluntary Settlement Agreement to Mitigate Impacts to State Facilities, concerning SR 202, signed by the Applicant and WSDOT in October, 1998.  |
| Exhibit No. 13  | Supplemental Voluntary Settlement Agreement to Mitigate Impacts to State Facilities   |
| Exhibit No. 14  | Copy of road variance application submitted by the Applicant to King County, proposing to delete a portion of a sidewalk to be constructed adjacent to Division 8 of the subject plat, and replace it with a portion of the regional trail to be constructed in the vicinity of the sidewalk. |
| Exhibit No. 15  | Preliminary Plat Downstream Analysis prepared by Hugh G. Goldsmith & Associates, Inc. dated August, 1997 and revised June, 1998.  |
| Exhibit No. 16A | March 16, 1999 letter containing the DDES decision on Drainage Variance L99VA0016.  |
| Exhibit No. 16B | February 16, 1999 letter containing the DDES decision on Drainage Variance L99VA008.  |
| Exhibit No. 16C | October 27, 1998 letter containing the DDES decision on Drainage Variance L98V0081.   |

- Exhibit No. 16D November 24, 1997 letter containing the DDES decision on Drainage Variance L97V0103.
- Exhibit No. 17 Table showing proposed water quality and quantity designs for the subject plat by sub-basin, prepared by Hugh G. Goldsmith & Associates, Inc.
- Exhibit No. 18 Land use map—Kroll Maps 960 East and West, 957 East and West, W ½ 6-24-7, W 1.2 31-25-7.
- Exhibit No. 19 May 20, 1999 memorandum from Joel Haggard indicating the proposed number of multi-family units proposed in Trossachs Division 9 is reduced from 192 to 174.
- Exhibit No. 20 File containing the following letters from concerned citizens:
- Letter dated 9/8/97 from William H. Venema
  - Letter dated 10/18/97 from Don Quigley
  - Note dated 10/18/97 from Lynda Kent
  - Letter dated 10/27/97 from William H. Venema
  - Letter dated 10/29/97 from Frank Novak
  - Letter dated 10/30/97 from Raymond Petit
  - Letter dated 3/15/99 from Frank Novak
  - Letter dated 3/29/99 from Robert G. Crittenden
  - Letter dated 3/31/99 from Robert Seana
  - Letter dated 4/26/99 from Robert Seana
  - Letter dated 5/5/99 from Robert Seana
  - Undated letter from Jon G. Stutz
- Exhibit No. 21A Summary of Testimony dated May 17, 1999, and signed by Victor H. Bishop, P.E., and Vince J. Geglia.
- Exhibit No. 21B Tom Uren Testimony Outline, dated May 17, 1999.
- Exhibit No. 21C Map (8 ½ by 14 inches), titled Proposed Urban Standard Improvements Trossachs Boulevard Preliminary Plat Divisions 8 & 9.
- Exhibit No. 21D Figure 6.4.3, titled Stormwater Wetland—Option B
- Exhibit No. 21E Figure 6.4.4.A, titled Combined Detention and Wetpond
- Exhibit No. 21F Figure 6.5.2.B, titled Sand Filter with Level Spreader
- Exhibit No. 21G Raingarden Conceptual Plan for Trossachs Divisions 8 & 9.
- Exhibit No. 21H Patterson Creek Dissipator & Outfall Detail drawing
- Exhibit No. 21I Exhibit 3 Map, titled Overall Storm Drainage Facility Plan, Preliminary Trossachs Divisions 8 & 9.
- Exhibit No. 21J Required Water Quality Pond Volumes per Various Regulatory Standards.
- Exhibit No. 21K Required Detention Volumes per Various Regulatory Standards
- Exhibit No. 21L Exhibit 2, Developed Conditions Drainage Basin Map
- Exhibit No. 21M Exhibit 1, Existing Conditions Drainage Basin Map
- Exhibit No. 21N Patterson Creek Basin Map showing Mr. Seana's property highlighted in blue.
- Exhibit No. 21O Trossachs Overall Preliminary Plat Map showing Duthey Hill Road
- Exhibit No. 21P Andrew Kindig Testimony Outline—Water Quality
- Exhibit No. 22 Colored illustrative map, (11 by 17 inches), Overall Preliminary Plat
- Exhibit No. 23 Hearing Examiner's Report and Decision regarding Trossachs Divisions 1 through 7.
- Exhibit No. 24A Letter to Hearing Examiner Titus from Roy Francis, Manager of King County Transportation Planning Division, re: Trossachs Divisions 8 & 9; L97P0035, 95-05-17-02.
- Exhibit No. 24B Staff Concurrency Report and Transportation Concurrency Resets, dated May, 1999.
- Exhibit No. 24C Trossachs II Concurrency File #95-05-17-02.
- Exhibit No. 25 Flood Plain Management Study (8 ½ by 14 inches), King County Unincorporated for Patterson Creek.
- Exhibit No. 26 Illustrative Hydrograph, drawn by Tom Uren
- Exhibit No. 27 FEMA floodmap of the Snoqualmie River and Patterson Creek.

#### Exhibits entered on June 4, 1999:

- Exhibit No. 28 Proposed Plat of Trossachs Divisions 8 & 9—Requested Changes to Recommended Conditions of Approval (Conditions 1 through 16).

- Exhibit No. 29A Three photographs of the Seana farm, including horses, field and barn.
- Exhibit No. 29B Preliminary Hydrologic Analysis and Level One Downstream Analysis Graph of Patterson Creek (Gauge 48A), February 1990 through June 1997, titled "Amended Treemont Residential Preliminary Plat", dated March, 1998.
- Exhibit No. 29C Mean Daily Flow overlay of Patterson Creek (Gauge 48A), February 1990 through June 1997.
- Exhibit No. 29D E-mail letter to Barbara Heavey from Marilyn Cox, dated February 17, 1999.
- Exhibit No. 29E Patterson Creek Reconnaissance Basin Report, dated February, 1993.
- Exhibit No. 30 Transmittal from D. Funke, WLRS Division, regarding Rainfall Patterns and Patterson Creek Flow Rates.
- Exhibit No. 31 Letter dated June 4, 1999 to Lanny Henoeh from Joe Miles and Jeff O'Neill of DDES/Building and Land Use Services Division.
- Exhibit No. 32 DDES Recommended Substitute Condition 8.i of Staff Report
- Exhibit No. 33 Amended Condition No. 25 of Staff Report